

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

* * *

SAUNDRA S. RUSSELL, KEITH : CIVIL ACTION
SADOWSKI & WILLIAM CAMPBELL, :
Plaintiffs, :
vs. :
THE CITY OF PHILADELPHIA, :
Defendant. : NO. 1351-cv-31

Oral Deposition of WILLIAM CAMPBELL, taken
pursuant to notice at the offices of THE CITY OF
PHILADELPHIA, LAW DEPARTMENT, 1515 Arch Street, 14th
Floor, Philadelphia, Pennsylvania, on Monday, July 28,
2014, scheduled for 10:00 a.m., commencing at
approximately 11:00 a.m., before Charles P. Carmody,
Federally Approved Professional Court Reporter and
Notary Public.

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PROCEEDINGS

It is hereby stipulated by and
 among counsel that the reading, signing, sealing,
 certification and filing are waived, and that all
 objections, except as to the form of the
 question, are reserved until the time of trial.

WILLIAM CAMPBELL,

having been just previously sworn or affirmed
 was examined and testified as follows:

BY MS. SHIELDS:

Q. Good morning, Officer Campbell.

A. Good morning.

Q. Do you know why you're here today?

A. Yes.

Q. Why are you here today?

A. I'm here because I gave a statement relating
 to an officer making sexist and racial comments to a
 sergeant that I worked for.

Q. Let's back up a little bit.

I'll give you some brief instructions, some

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guidelines. I'm going to ask you questions about your
 involvement in this case.

You're a named plaintiff. I'm going to give
 you -- I'm going to ask you some questions. If you
 don't understand any of my questions, just tell me and
 I'll rephrase the question so that you can answer it.

A. Okay.

Q. All of your answers that you respond to my
 questions have to be verbal, because the court reporter
 can't take down a nod of the head, or an "uh-huh," or
 "un-un," those types of things that we just use in
 normal conversation.

A. I understand.

Q. And you need to let me get my question out
 before you respond with your answer.

A. Okay.

Q. And I'll do the same. I'll let you respond
 before I pose my next question.

A. Okay.

Q. If you need to take a break, just let me
 know. We'll finish up with your response or with your
 answer and then we'll take a break.

If you remember additional information, or if
 you need to clarify a previous answer, let me know.

1 A. Okay.
 2 Q. Have you ever been deposed before, Officer
 3 Campbell?
 4 A. Not that I recall.
 5 Q. Do you have any medical or physical
 6 conditions that would bear on your being okay, able to
 7 answer truthfully today?
 8 A. No.
 9 Q. Are you on any medications or anything that
 10 would impact your ability to respond to my questions?
 11 A. No.
 12 Q. Have you had anything to drink, any alcohol
 13 in the last eight hours?
 14 A. No.
 15 Q. Give me your history of your job assignments
 16 with the PPD.
 17 A. From the beginning?
 18 Q. Yes. Just briefly, yes.
 19 A. I graduated. Then I went to the Police
 20 Academy in July 15th of 1996. I was assigned on
 21 December 23rd to the 25th District on routine patrol.
 22 I stayed there until about September, I
 23 believe of 2000. Then I moved to the Narcotics Strike
 24 Force. Then I was there until about 2007, when these

1 incidents started occurring and get worse.
 2 Q. Are you still in the Narcotics Strike Force?
 3 A. I'm not now, no.
 4 Q. Where you assigned currently?
 5 A. I am currently assigned to the Seventh, but
 6 I'm out on injury. I injured my wrist again.
 7 Q. Let's back up a little bit.
 8 So how long were you in the Narcotics Strike
 9 Force?
 10 A. From 2000 until March the 10th of 2007.
 11 Q. I see that you're referring to some
 12 documents.
 13 Can you identify for me what those documents
 14 are? Can I see them?
 15 A. Sure. They're just documents of statements
 16 that I made and personal background information.
 17 Q. I'll take look at them afterwards.
 18 A. Okay.
 19 MR. MCDUFFY: You're not supposed
 20 to read from any stuff. You're supposed to be
 21 going by memory.
 22 THE WITNESS: Okay.
 23 MS. SHIELDS: But I would like to
 24 take a look at those.

1 MR. MCDUFFY: Yes, sure.
 2 BY MS. SHIELDS:
 3 Q. Now, you're currently with the Seventh
 4 District, but you're out on injury -- out on injured
 5 duty?
 6 A. Correct.
 7 Q. And when did you sustain that injury?
 8 A. When?
 9 Q. Yes.
 10 A. August the 31st of '13.
 11 Q. How did you sustain that injury?
 12 A. I was wrestling with a guy over my TASER, and
 13 I twisted my wrist and tore it.
 14 And I had a previous tear in there before,
 15 and I had surgery on my elbow and hand before.
 16 Q. Let's go back to when you were detailed or
 17 assigned to the Narcotics Strike Force.
 18 What were your responsibilities when you were
 19 an officer with the Narcotics Strike Force?
 20 A. There was many. I mean, I did -- we did
 21 surveillance. And if any of us, the team, stopped the
 22 buyers, the buyers who were buying drugs, we'd recover
 23 the drugs and put them on a property receipt. Then we
 24 turned all of the paperwork in to the assigned

1 investigator who does the 49.
 2 Sometimes I did the surveillance myself, and
 3 then people would turn in the paperwork for me in to
 4 the assigned, and then I got it and then I typed up the
 5 paperwork for it.
 6 Q. What's a 49?
 7 A. A 49 is an investigation report.
 8 Q. Is that a 7849?
 9 A. Yeah.
 10 Q. And that's the investigative report?
 11 A. Right. That's the whole detailed report of
 12 everything. First, you do -- you're going to do the
 13 bars, and the bars are a preliminary arraignment.
 14 Then afterwards, the assigned gets all of the
 15 paperwork together, the 7548, the 48-A, any search
 16 warrants, any other paperwork that went with it, the
 17 field tests from drugs. Then the assigned puts all of
 18 that together in a package, and he types up the 49s
 19 with all of that information, and then they turn it in.
 20 Q. Any other responsibilities when you were
 21 working in the Strike Force?
 22 A. Yes. A lot of times I would work inside too.
 23 And I would work inside, and a lot of times that
 24 consists of helping the corporal do the assignments

1 sheet on the computer, giving that out to the
2 lieutenant, the sergeant, the corporal, and then three
3 of them go on the clipboard for the captain where he
4 distributes -- I don't know where they go after he gets
5 them.

6 And then when the people on the street called
7 in with an arrest, they would fax the arrest paperwork
8 in, and we would log that in the arrest book, and then
9 we would put it on the S&R sheet.

10 Q. Did you have a partner when you were with the
11 Narcotics Strike Force?

12 A. I had several different partners at different
13 times, and sometimes I was alone.

14 Q. Do you recall those partners?

15 A. Yeah. The first partner I had when I first
16 got there, I was steadily with a girl by the name of
17 Dina Elliot. I was with Dina for while. And then I
18 was with another girl, Dee Wood. And I was with
19 another girl, Marianne McGrath. Then I was with
20 Eric Dial for a little bit.

21 Q. And that was D-I-A-L?

22 A. Right.

23 And then I was with Keith Sadowski for the
24 end of my time in the Strike Force.

1 Q. How long was Keith Sadowski your partner?

2 A. Probably a year and a half, maybe.

3 Q. Who were your supervisors, your direct
4 supervisors when you were in the Narcotics Strike
5 Force?

6 A. From the time I was there?

7 Q. Yes.

8 A. Well, when I first I got there -- I forget
9 his name -- Stephen McCusker was the sergeant when I
10 first got there, when I was assigned there, and then he
11 was killed in a motorcycle accident. And then I was
12 assigned to I'm not sure of the order. Then I was
13 assigned to Laverne Vann for a while.

14 Q. Laverne V-A-N-N?

15 A. Yeah, Laverne V-A-N-N, yes.

16 Then I was assigned to a Mike Patucci for a
17 while. Then I was with another sergeant when Mike
18 Patucci got promoted. Bill Lackman was my sergeant.
19 Then when Sandra Russell came, she was my sergeant.

20 Q. How long was Sandra Russell your sergeant,
21 sir?

22 A. I would say probably -- I'm not sure when she
23 got there. But I know it was from the time she got
24 there until the time she left.

1 Q. Did she sign off your paperwork?

2 A. Correct.

3 Q. Did she give you assignments?

4 A. Correct.

5 Will, I mean, different sergeants gave you
6 different assignments. I mean, it wasn't like one
7 specific sergeant gave you assignments and sometimes
8 other sergeants would feel, well, you've got to do
9 this, and that was fine.

10 So some sergeants held roll call, and then
11 sometimes she held roll call, and sometimes she gave
12 assignments, and then the lieutenants sometimes would
13 give assignments. That's the way that it worked.

14 Q. Did you see Sandra Russell on a daily basis
15 when you were with the Narcotics Strike Force?

16 A. Yeah.

17 Q. What's your disciplinary history with the
18 PPD, within the department?

19 A. I believe it was 1997, I was on a job. I was
20 writing up a parking ticket -- at I think it was at C
21 and, like, Ruscomb. So I set my radio down on the
22 trunk because I couldn't see the street sign to see
23 what the address was, so I shined my light up.

24 Then immediately I heard it come over the

1 radio that there was a missing tender age at 9th and
2 Hunting Park. A missing tender age is any child under
3 the age of ten years old.

4 So I jumped in the car because I know the
5 pool over there was sometimes -- if kids get in the
6 pool, they can drown. So I wanted to make sure that I
7 checked the pool in all of that area.

8 So when I got there, I realized that my radio
9 was on the trunk of the car when I drove away. So then
10 after I searched the park a little bit and other
11 officers were there searching the park, I went back to
12 where I gave the tickets out to see if I could find it,
13 because it was like 3:30 in the morning, or somewhere
14 around that area, and my radio was gone. I couldn't
15 find it.

16 Then I had to report that to the sergeant.
17 Then basically they did 7518s on me for the
18 disciplinary, and I had to repay the money for the
19 radio, which, I believe, costs \$568 and whatever. And
20 I just paid that in one lump sum and they gave me a
21 receipt for it.

22 The other disciplinary code is -- I can't
23 remember the date it happened. A call came out that
24 there was a disturbance at a bar on Somerset Street,

1 right around Sixth and Somerset. So an officer
2 responded and a highway officer responded. So when the
3 officer pulled up, the highway guys pulled away.

4 And basically, the guys in the car was
5 getting flashed down. Oh, somebody in the bar had
6 stole somebody's keys off the bar and took their car.

7 So the officer, when they asked, is there a
8 flash. So he said the well, the highway officer got
9 all the flash and information. And they have a
10 tendency of keeping information to themselves, so they
11 didn't put that out on the air. So they asked for a
12 meeting with this officer, because he came over the air
13 and he said that. Then when I pulled up, there was an
14 altercation between them two and another cop, whatever.

15 So that all broke up, whatever. They took
16 all that inside and it had nothing to do with me.

17 And then later on that night, about 5:30 in
18 the morning -- that year I was looking to buy a house,
19 up by the Seventh District. So I was out during the
20 day looking at houses.

21 So I just pulled it up on the MDT screen, at
22 random, and I just picked by random a car number, and I
23 asked them how that street was and what was the
24 Catholic Church that was up there.

1 Q. What's the MDT?

2 A. It's a mobile data transmitter.

3 Q. That you're supposed to use in connection
4 with work, correct?

5 A. Correct. And that's where we lied with the
6 disciplinary code.

7 So there was an investigation that night
8 performed by Captain Colarulo. So every MDT
9 transmission was gathered. And that came up that I was
10 using that for personal use to ask what the Catholic
11 church and how that block was. So I just pled guilty
12 to it. They had it on paper and I said it and you
13 know --

14 So that's the only other disciplinary code --
15 you know -- I know that in the paperwork here that I
16 reviewed earlier that there was something in the Strike
17 Force in 2002 that I don't recall. So unless we have
18 some paperwork that shines some light on that, I don't
19 recall that job.

20 Q. What are you referring to in terms of what
21 you reviewed?

22 A. Well, there was some paperwork that was put
23 together. And it had my disciplinary code thing in
24 there, which I never ever seen before. And it had that

1 in there.

2 Q. Had what in there? What were the charges?

3 A. Well, it just was -- well, I'll have to look
4 again. It was neglect of duty somehow. I don't know
5 what it was.

6 (Witness perusing document.)

7 Yeah. This would be December the 30th of
8 2002. It says, "Narcotics Strike Force," and then it
9 says "PBI," and then it has "Case No. 02-0440." And it
10 says "Neglect of Duty, Guilty, Reprimand."

11 Then on top of that it says "memo." So I
12 don't know what it was. Maybe I just got a memo from
13 the captain or from the lieutenant. I just don't
14 recall.

15 Q. Okay. Let's move on.

16 Any other disciplinary history --

17 A. No.

18 Q. -- that you recall?

19 A. No.

20 Q. So you said earlier -- you testified earlier
21 that Sergeant Sandra Russell was your supervisor in
22 the Narcotics Strike Force, correct?

23 A. Yes. Until she left, right.

24 Q. And you obviously had a professional

1 relationship with her?

2 A. Correct.

3 Q. And did you have any personal relationship
4 with her, were you friends outside of the, you know,
5 the department?

6 A. No. We really didn't hang out. I knew
7 Sandra and she was in the 25th as I was when I was
8 there. I never worked in a squad with her, but I never
9 worked with her. But I knew her from coming and going.
10 So I knew her name and all. And she was in court a lot
11 and I was in court a lot, so we passed each other a lot
12 in court.

13 Q. Are you currently in contact with Sandra
14 Russell?

15 A. I haven't spoke with her in -- I can't
16 remember how long. It's probably a year.

17 Q. Did you have conversations with her when she
18 separated from the department?

19 A. After she left the job?

20 Q. After she left the department, left the job.

21 A. I talked to her a couple of times on the
22 phone.

23 Q. Did you talk to her about this case?

24 A. No. I just talked to her about how she was

1 doing.

2 Q. And you never talked about this case?

3 A. No, not really. I was just concerned with
4 how she was doing, because she was out of work. I knew
5 that she had a son that was going to college, and I
6 asked if she was okay.

7 Q. How did you become involved in the
8 insubordination investigation between Sergeant Russell
9 and Officer Eric Dial?

10 -----
11 (Whereupon, a discussion was held
12 off the record.)
13 -----

14 THE WITNESS: I became involved in
15 that situation between Eric Dial and Sergeant
16 Russell.

17 I'm not sure of the date. I'm sure it's
18 in the paperwork.

19 Eric Dial was a friend of mine, and my
20 car wasn't running at the time, and he would pick
21 me up, because he lived around the corner from
22 me.

23 So I was off on one of the last days of
24 our tour when allegedly this stuff happened. So

1 I wasn't there then.

2 So he picked me up from work and we drove
3 down Woodhaven Road, and we got onto I-95. And
4 so right around Academy Road, he started talking
5 to me about that he probably was going to get in
6 trouble.

7 And so I said, "About what?"

8 And he said, well, "I called Sandra
9 Russell a cunt."

10 And I said, "You did what?"

11 He said, "I called her a cunt."

12 And so I said "well, you admitted that
13 and told everybody that?" Because I was shocked.

14 And you know, he said, "Yeah, she was
15 being a fucking cunt that day." It was something
16 about he wasn't riding his bike.

17 And he said something about, "Well, you
18 know me." He said, "My Indian got up."

19 And I said, "Well, that's not an excuse."

20 But then he said, "What are they going to
21 do to me?" "I'm one out of 16 American Indians
22 on this job."

23 So that was his statement to me. Then we
24 kind of just drove into work. That was kind of

1 it for then.

2 BY MS. SHIELDS:

3 Q. Then what happened later on to necessitate
4 your involvement in this situation? How did you become
5 involved in the investigation?

6 A. Well, I really didn't know I was involved in
7 the investigation. I assumed everybody there was
8 involved. But I mean, everybody in Five Squad and
9 D Squad, which I was in, which we all worked together,
10 they started joking around about it too. You know, so
11 I became involved later on when I was told that there
12 was going to be an investigation.

13 Q. Let me just --

14 Go ahead and finish your answer.

15 A. And that I was going to be called as a
16 witness for this because somehow Sandra Russell had
17 found out that Eric Dial had told me that. I don't
18 know who -- maybe I said something to somebody. I
19 don't know.

20 Q. Let's back up a minute, sir.

21 When did you have this car ride with
22 Eric Dial?

23 A. What date?

24 Q. Do you remember the date or the year?

1 A. It was in 2006. And I'm assuming it was
2 towards -- I mean, it's written down. I assume it was
3 towards sometime -- somewhere around late summer,
4 because they were riding bikes and they really don't
5 ride bikes in the winter.

6 Q. Then fast forward to -- there's an
7 investigation.

8 Then I'm going to ask you again, do you
9 recall how you got involved in the investigation? Did
10 somebody tell you that you were going to be
11 interviewed?

12 A. I heard -- and this was like almost a year
13 probably had passed. A long time passed before I
14 started hearing that I was going to be interviewed.

15 Q. And who did you hear --

16 A. I just heard that through the rumor mill of
17 the Strike Force. And I said, well, if that's the
18 case, then that's the case. I just assumed that
19 everybody was going to be interviewed.

20 Q. And did there come a time when you were
21 interviewed?

22 A. Yes. But there before I found out -- right
23 before I was officially notified of it, an
24 Officer Dietz was in -- we were at court, and we were

1 in, like, one of the side rooms, and I walked in, and
 2 Officer Dietz, who's now a sergeant, he was standing in
 3 the room with another guy about the name of Chris
 4 Duchossis. I don't know how to spell that name.

5 MS. SHIELDS: I think it's
 6 D-U-C-H-O-S-S-I-S.

7 THE WITNESS: It's something like
 8 that.

9 BY MS. SHIELDS:

10 Q. What's Dietz's first name?

11 A. It's John.

12 Q. Okay. It's John D-I-E-T-Z?

13 A. Yeah.

14 Q. So continue.

15 A. And an Officer Thomas Bachmeier was in the
 16 room.

17 Q. And this was in court?

18 A. This is in one of the side rooms at court
 19 where the table is, where we sit down and kind of prep.
 20 I just walked in and they were standing there.

21 So Officer Dietz -- now Sergeant Dietz -- I
 22 don't know how you want me to refer to him. Do you
 23 want me to refer to him as of the time that it
 24 happened?

1 Officers Dietz asked me, he said, "So I hear
 2 you're going to testify in the case of Eric Dial and
 3 Sandra Russell?"

4 I said, "well, I don't know that." I was
 5 never officially notified of anything. And then he
 6 said, "Well, what are you going to say?"

7 So I said, "Well, if I'm interviewed I'm
 8 going to tell the truth of what I know."

9 And immediately, when I said that, Officer
 10 Bachmeier --

11 Q. What's Bachmeier's first name, sir?

12 A. Thomas.

13 Q. Okay. Continue.

14 A. He said to me, he said, "Maybe you should say
 15 don't remember."

16 Because he went through a lot of stuff
 17 before, and I guess he was looking to try to save me
 18 aggravation at the time or whatever.

19 So he told me, "Sometimes it's easier to say
 20 you just don't remember, and let it go."

21 So I said, well, "That's not the way I am."

22 And then the next day when I was in court, I

0024

23 came down from -- and I was going -- I was exiting the

1 as they get on the elevator I ran into Eric Dial.

2 And so he called me over. I said, "What's
 3 up, Eric?"

4 He said, "Yo, when you talk to somebody about
 5 me, don't mention my name and Sandra Russell's name in
 6 the same sentence."

7 I said, "Okay, Eric," and I left.

8 Q. So did there come a time when you were
 9 officially notified that you were going to be
 10 interviewed in connection with this incident?

11 A. Probably about two days later. Probably
 12 about two days later Captain Kelly passed me in the
 13 hallway.

14 He said "Bill, I got word that I'm going to
 15 be interviewing you and Keith in the Strike Force."

16 It wasn't going to be done internally. So
 17 they gave me, I guess, a letter. I don't know if he
 18 gave me a letter or it was just verbal. But it was for
 19 the date and the time when he was going to interview
 20 me.

21 Q. Do you remember the date and the time, sir?

22 A. Not off the top of my head, I don't.

23 Q. So there did come a time when you were in an
 24 interview with Captain Kelly?

1 A. Correct.

2 Q. Captain James Kelly?

3 A. Correct, yes.

4 Q. And he was the commander of the Narcotics
 5 Strike Force at the time?

6 A. Yes.

7 Q. Who else was present in the interview with
 8 you?

9 A. Lieutenant Haag. I think it's Joseph Haag,
 10 H-A-A-G.

11 Q. So that's H-A-A-G?

12 A. Right.

13 Q. Well, tell what happened and transpired in
 14 this interview, sir.

15 A. Well, I suited up and I came in, and Captain
 16 Kelly was sitting to my right and Lieutenant Haag was
 17 sitting behind his desk.

18 And Captain Kelly, said, "Oh, you didn't have
 19 to come fully dressed for this."

20 So I said, "Well, to me it was an internal
 21 investigation, so I came suited up." Which has no
 22 bearing on this.

23 But he told me, he says, "You know, just tell
 24 the truth, what you know, and the cards will fall where

1 they fall."

2 So that's when I began to give my statement.

3 Q. So what was your statement?

4 A. My statement basically was the statement that
5 I just gave you, on how I found out about Eric Dial
6 admitting to me that called her "a cunt" on the ride
7 into work.

8 But before that even happened, I specified to
9 Captain Kelly that I don't think that that interview
10 here is a good place to do it, only because I knew that
11 I worked there, and everybody within a day or whatever,
12 sometimes ten minutes, knows everything that goes on in
13 there. It's a small-knit community in the Strike
14 Force.

15 Q. How did Captain Kelly respond to that?

16 A. He told me that nobody would know about this
17 interview. That after this interview was done, it
18 would be locked in his safe until it was hand delivered
19 to where it had to go to.

20 He told me, however, he said, however, when I
21 do my 18s, after I gave my statement, he was pretty
22 much set like he had to give Eric Dial 18s. So I
23 pretty much knew that, and he told me that. So he said
24 however, though, at the PBI hearing --

1 Q. Go ahead.

2 A. You're going to testify in front of Eric Dial
3 and in front of others, and it will come out that you
4 testified against him.

5 I said I understand that.

6 But the very next day people that I knew --

7 Q. Wait one minute. You're getting a little bit
8 ahead of me.

9 A. Go ahead.

10 Q. So basically, what was the length of your
11 interview with Captain Kelly?

12 A. I would say the length of it was probably
13 about 45, 50 minutes maybe, from the start to the
14 reading of all the stuff that the lieutenant has to
15 read about the 1.11, failure to cooperate, and the
16 1.12, lying during an official investigation, and all
17 of that stuff starting in the beginning.

18 Q. Did you hear Eric Dial personally call
19 Sandra Russell "a fucking cunt"?

20 A. To her face?

21 Q. Yes.

22 A. No. I wasn't in that day.

23 Q. Was it your understanding that he said those
24 words to her face?

1 A. It was my understanding that he said, when I
2 was talking to him in the ride in the car, that she was
3 in the lieutenant's office.

4 Now, Lieutenant Spangler was off that day, I
5 believe. Because I was off that day, and I think he
6 was off. And Lieutenant oh, geez, now -- Jimmy -- I
7 forget his name -- I'll remember it in a minute. Now,
8 he's a captain.

9 Well, anyway, the other lieutenant from Five
10 Squad was allegedly in room and Sandra Russell and
11 Eric Dial. And Eric Dial kind of said this on his way
12 out the door.

13 Q. Not to her face?

14 A. Well, I guess he turned around and said it as
15 he was going out the door.

16 I mean, she had told me, because afterwards
17 she had called him back in the office and then they had
18 an interview or whatever.

19 Oh, and it was Jimmy Smith, that's the
20 lieutenant's name who was in there.

21 To my knowledge, because I wasn't working,
22 and he basically said okay, well, when Lieutenant
23 Spangler comes back, who's our lieutenant in our squad,
24 they would deal with that.

1 Q. But you didn't witness any of this?

2 A. No. I wasn't there that day.

3 Q. What happened -- let's take the day after you
4 participated or you were interviewed by Captain Kelly
5 and Lieutenant Haag -- what happened in terms of your
6 interactions with your coworkers?

7 A. Will, like I said, some of the guys that I
8 used to -- I mean, I didn't hang out with people that
9 much. I have a family; do you know what I mean?

10 But every now and then we would hang outside
11 and barbecue, but the next day, the people that I
12 worked with, kind of when I walked by them, they dipped
13 their head down.

14 Well, I have one friend still -- well, I
15 don't think he's a friend -- but a guy by the name of
16 Mark Bates, who has really nothing to do with this
17 other than I knew him since grade school, I went to
18 middle school with him. He lived out back from me
19 before I even came on the job. He brick pointed my
20 house when I was on the job. When he was getting on
21 the job, he would stop me every time when he was
22 driving past me and ask me, what's the next step. I'm
23 going through this in the pre-stuff of getting on the
24 job and all. You know, I would tell him, like, you

1 know, this is going to be the next step, and that's
2 going to be the next step. And you know, everything
3 will work out right. It just takes time.

4 Then I moved up to Somerton, and he moved not
5 far from me then. And before that, my kids would go to
6 Saint Martin's. His kids would go to Saint Martin's.

7 I would drop my kids off at the McDonald's
8 sometimes there, and they would cross the bridge and go
9 into school. So then it was either him or his wife
10 there, and we would chitchat, waiting for the kids to
11 come back. Like I said, I knew him. It was just small
12 talk, you know. So when we moved up there, my son
13 played for Somerton and his kid played for Somerton.

14 Q. I appreciate all of this history.

15 But where are we going with this?

16 A. Where we're going with this is that after
17 this he really never spoke with me again. Even when I
18 seen him at baseball, I mean, his wife talked to me.
19 Him and my wife, they talked. But Mark never talked.
20 When we sat on this side, my kid was there in the all
21 star game and his kid was in the all star game. Me and
22 my wife and his wife sat down on this, and sat down
23 over here (indicating.) Do you know what I mean? So
24 there was no contact with that.

1 So I feel that since he knows that I gave a
2 truthful statement and kind of ratted out Eric Dial,
3 that he doesn't want to associate with me, because he
4 can't trust me.

5 Q. Any other incidents?

6 A. Well, there's a lot of people that don't talk
7 to me. I mean.

8 Q. Who are they?

9 A. Cindy Felicetti, I see her every now and
10 then.

11 Q. Is she an officer?

12 A. Well, yeah. I worked with her when she first
13 came back to the Strike Force. She was in the Strike
14 Force, went to the PO unit, and then came back to the
15 Strike Force. And before they started up this bike
16 unit that she was going to, she was working with me.
17 She was from my neighborhood, but I didn't even know it
18 at the time until we started talking.

19 Well, obviously, John Dietz don't really
20 speak to me. Chris Ducchossis don't speak to me.
21 Tommy Bachmeier don't speak to me. And now he works up
22 in the Seventh, where I work, and it's still -- he's
23 not in the same squad, but when I see him, he just
24 passes me by.

1 Q. Any other incidents that you've encountered
2 after you testified in connection with the Russell and
3 Dial insubordination investigation?

4 A. Well, in March of 2007, my uncle, who was a
5 right reverend up in Boston, which he was an abbot
6 there for about 40 years, which is a long story
7 short -- he was head of the monks or whatever, he
8 passed away. Me and my son went up there for the
9 funeral.

10 When I came back home I had a very bad
11 earache from being so cold up in Boston. It was like
12 the coldest day in Boston history when we were up
13 there.

14 So I came back to work on 3/10, because when
15 I came back I went to the doctors for my earache. My
16 doctor gave me a note from 3/7 to return to work on
17 3/10. So on 3/10 Lieutenant Fineman that day was
18 holding roll call.

19 So after roll call I approached him, said I
20 said, "Lieutenant, here's my sick note." And so I gave
21 it to him. Then we exited the roll call room and went
22 into the operations room, where all of the computers
23 are.

24 He said, Bill, I need you to stay in and

1 catch up on all of the 49s that you're behind.

2 I said, "Okay, Lieutenant." "That's fine."

3 Because I was behind in like my 649s, because every
4 time we went to do it, these surveillance guys would
5 set up on something and we would have to suit up and go
6 out.

7 So that's just the way it operated, the
8 Strike Force. When I first got there, it never
9 operated that way. Once you got assigned a job in the
10 very beginning, the next day you would stay in and
11 finish that 49. But, you know, there came a change in
12 the regime where they just wanted, you know, to just
13 catch up on the 49s or as you're going along or when
14 there was some free time. And a lot of times there
15 were a lot of jobs where there wasn't that much free
16 time.

17 So I said, "Okay, Lieutenant, that's not a
18 problem."

19 And then he told me, "Oh, you're going to
20 have to do your partner's 49s too, because he's out
21 sick -- claiming he's sick."

22 So I said, "Okay."

23 Q. Who was your partner?

24 A. Sadowski at that time.

1 Q. Okay. Continue.

2 A. So I said to him, I said, "Okay, I'll do
3 them." It didn't seem fair that I have to do other
4 people's paperwork, but if you tell me to do it I'll do
5 it. You're the lieutenant.

6 So I went and got the paperwork out of my
7 locker. I put it in front of the computer. I went
8 about 15 feet around the corner. They had the vending
9 machines in the same room. And I bought a Diet Pepsi.
10 I was going to start down and do the 49s.

11 He comes out of his office.

12 Q. Who was he?

13 A. Lieutenant Fineman.

14 He said, "Bill, I called you into my office.

15 I said, I'm sorry, Lieutenant, I didn't hear you."

16 So get in there, and he says, "I was calling
17 you and the corporal will tell you I was calling you."

18 So I said, "I'm not saying you weren't
19 calling me. I'm saying I didn't hear you. I've had an
20 earache for a couple of days. I'm just getting over
21 it."

22 So he said, "Well, I have a discrepancy in
23 your note and I'm trying to put it in the computer.
24 And I see it says you were out from 3/7 to 3/10." So

1 he says, "What happened to 8 and 9?"

2 And I said, "Well, the note is written
3 covering me from 3/7 to return to work on 3/10. So
4 them days, this was the middle, were just assumed that
5 I was out from 3/7 to 3/10.

6 So he said, "Okay, I got you."

7 Then I had sat my Pepsi on the other desk in
8 his room and so -- I go I figured it's all over. I
9 explained the note to him that he wanted.

10 I grabbed my soda. And he said, "You're not
11 free to go."

12 I said, "Why, what's up?"

13 And he said, "I want you to give a message,
14 you know, to your partner, Sadowski, that, you know,
15 that the things that he said about me and the
16 accusations he's making, that I'm not going to take
17 this stuff sitting down."

18 And I said, "Lieutenant, it's none of my
19 business, really." I said, "I wasn't here when any of
20 that went on. I said Keith is my partner. You're my
21 lieutenant. There's an internal investigation going
22 on, you know, and I'm not really supposed to talk to
23 anybody about it."

24 Then I was talking to him, and he kept

1 telling me, well -- and he stood up and he said, "You
2 tell your partner that I'm not taking this laying down.
3 That there's no truth to what he's saying. He's making
4 it all up."

5 And I said to him, I said, "Lieutenant, I
6 don't know what you're asking me. Are you asking me to
7 believe you or my partner?"

8 And I said, "I've known Keith for the last
9 year and a half. We've been partners. And he had
10 shown me no signs of any, you know, of acting like
11 that."

12 So I believed Keith, you know.

13 And I said, I'm feeling that I'm in here now,
14 basically with the doors open before I got my soda.
15 Then he started getting loud, and I closed the door.
16 Because he's got the corporal sitting outside and like
17 six other cops listening in trying to hear what's being
18 said, you know.

19 Q. But the door was open, correct?

20 A. The door was open then.

21 So I said, "Lieutenant, do you mind if I shut
22 the door?"

23 And he said, "No, go ahead." And we shut the
24 door.

1 Then we continued talking.

2 So I said, "Lieutenant, I feel like I'm being
3 harassed over an incident that you and my partner went
4 through when I wasn't even here."

5 And he told me, he said, "Well, it started
6 when you handed Captain Kelly that letter from your
7 partner."

8 Q. Let's back up a minute.

9 A. Okay.

10 Q. What letter are we talking about?

11 A. I don't even know what the letter said.

12 Q. So you handed a letter --

13 A. It was a manila sealed envelope, sealed and
14 taped. And one day before that, Keith Sadowski called
15 me and he says "Bill" -- because he's at home in sick
16 confinement or whatever. He said, "Can you drop this
17 paperwork off to Captain Kelly?"

18 I said, "No problem, Keith. I'll drop it off
19 for you."

20 It had Captain Kelly's name on it. I had
21 seen Captain Kelly. And I gave him the envelope. I
22 had no idea of what's in it.

23 Q. Let me back up here, just so I can understand
24 the logistics of what's in it.

1 Did you go to Keith Sadowski's home and get
 2 the paperwork?
 3 A. Correct.
 4 Q. You picked it up from Keith Sadowski's home?
 5 A. I picked it up from his house.
 6 Q. Can you give me a time frame?
 7 A. Well, it was in between -- it was in between
 8 the time that he went out sick with the incident with
 9 Lieutenant Fineman until the time that this occurred
 10 with Lieutenant Fineman. It was probably a week before
 11 that it occurred with Lieutenant Fineman.
 12 Now, I gave Captain Kelly that letter.
 13 Q. Was it a letter or a manila envelope?
 14 A. It could have been a manila envelope. There
 15 could have been nothing in it. I don't know. It could
 16 have been one page. It wasn't real fat.
 17 Q. So you just gave it --
 18 A. Yeah.
 19 Q. You agreed to be the messenger?
 20 A. Yeah. I handed it to Captain Kelly and
 21 that's what he asked me to do.
 22 Q. Then prior to --
 23 A. Well, let me back up to before that. Before
 24 that, a couple of days before that happened, I was

1 typing up paperwork at the secretary's typewriter,
 2 because every other typewriter was being used. And I
 3 was typing up a property c4, drugs that we recovered on
 4 the job.
 5 So then Captain Kelly came out, and he said,
 6 "You can tell your partner" --
 7 Q. And he's talking to you?
 8 A. He's talking to me.
 9 Q. And now he's in front of people?
 10 A. He's talking to me now. It was just me and
 11 him now.
 12 Q. He was in his office?
 13 A. No. His office was right here, and I was
 14 sitting right here typing (indicating). So all he had
 15 to do was say -- was walk out of his office and say --
 16 Q. And he was right there?
 17 A. Looking at me.
 18 He came out and turned around, and he said,
 19 "You can tell your partner that Internal Affairs can
 20 handle this job because I don't feel that I can give a
 21 fair and impartial judgment over this."
 22 Now, I didn't know what he was talking about.
 23 So I just said "Okay, Captain."
 24 And he went back in his office and I

1 continued my work.
 2 Q. Did you then have a conversation with Keith
 3 Sadowski about this interchange?
 4 A. Later on I find out, right, before I
 5 delivered this letter, I find out that Keith went to
 6 Internal Affairs on his own and gave a statement about
 7 something.
 8 So that's why Captain Kelly came out to me
 9 and said, word for word, "I told Keith" -- he came out
 10 and he says -- "you went to Internal Affairs and
 11 basically told them that he can't give a fair and
 12 impartial statement. You know, you can't be fair about
 13 this."
 14 And Keith said, "That's funny, because that's
 15 exactly the words that I gave to the Internal Affairs
 16 investigator." So obviously --
 17 Q. Did you know what incident he was talking
 18 about?
 19 A. He was talking about all this same incident,
 20 I imagine.
 21 I don't know word for word, specifically what
 22 part of the story he was talking about. But I believe
 23 he was talking about that people were treating us
 24 differently because the investigation was there. I'm

1 not positive. That would have to be asked of Keith.
 2 Q. Did you at any time talk to Captain Kelly
 3 about how you were feeling in the workplace with your
 4 coworkers?
 5 A. After he got that letter and then after --
 6 before that, when Keith was having the incident with
 7 Lieutenant Fineman, and then when we went to Internal
 8 Affairs, and then at a later date when Keith came in to
 9 talk to Captain Kelly --
 10 Q. I'm not talking about Keith.
 11 I'm talking about you.
 12 A. Well, I mean, that's how it affected me. I
 13 mean, that's how I got pulled in.
 14 Q. Did you ever at any time go to Captain Kelly
 15 or one of the lieutenants other than Fineman and say,
 16 "I'm uncomfortable about what is going on in the unit"?
 17 A. Well, when I went to -- when the rat note was
 18 put on the locker --
 19 Q. All right.
 20 Let's go in the rat note.
 21 Tell me what about happened with the rat
 22 note?
 23 A. The note was placed on my locker.
 24 That morning I had asked -- I believe it was

1 Sergeant Russell before that, or it could have been
2 Laverne Vann, if I could have a day off because my son,
3 I had a meeting at school. I mean, my wife and my son
4 were having meetings at school with the teacher.
5 I think it was at 11:00 or 12 o'clock, or whatever.

6 And they told me, we don't mind giving you a
7 day off, but you're scheduled for court. So you have
8 to go to court.

9 So I said, okay, I'll go to court, and then
10 I'll come back and, you know, work half a day.

11 So Keith was inside that day doing 49s.

12 A. Keith was inside that day doing 49s.

13 Q. Keith Sadowski?

14 A. Right. Keith was inside doing paperwork
15 before he went on the street.

16 So I didn't have a cellphone then, and my
17 wife had called him -- or she called in headquarters --
18 I don't know -- it was either or.

19 And so Keith got on the phone and she said,
20 "Do you know if Billy's going to be out of court,
21 because we got this meeting or whatever."

22 So he says, "Well, I don't know."

23 And she says, "Well, can you leave him a
24 note, so because when he gets back he can call me right

1 away."

2 So Keith had by the time I came back from
3 court, Keith had already went on the street.

4 So he posted the Post-it to my locker, "Bill,
5 your wife called you and wants you to call her as soon
6 as you come back."

7 Q. So it was a Post-it?

8 A. Yes.

9 Q. It was a yellow Post-it?

10 A. Yeah, it was a yellow Post-it. I think it
11 was yellow.

12 Q. Go ahead. Continue.

13 A. So that was placed on my locker.

14 So when I come back, I'm in a hurry because I
15 know I have this meeting. So I get changed. I lock my
16 locker and I go to the meeting.

17 Q. And so you left the note up?

18 A. Yeah. The note was there. I never took the
19 note down.

20 Q. What date was this?

21 A. The day of the note?

22 Q. The date that you know that you first
23 observed the note on your locker to call your wife.

24 A. I would have to look in the paperwork.

1 Q. Go ahead. Continue.

2 A. So the note was there. And then we were off
3 for two days or a couple of days, and then when I came
4 back, as soon as I came back, the Post-it note was
5 still on my locker.

6 And it had "Rat" written across the middle of
7 the note, then where Keith signed -- Keith signed his
8 name at the bottom of the note. And they wrote "Rat"
9 right over the top of his name.

10 So when I seen that, Keith wasn't even in
11 yet, because I got in earlier. I think we were working
12 6:00 to 2:00 or something. So I got in a little early
13 and I was getting dressed, and I seen that and I was
14 concerned about it.

15 Q. Who had access to your locker room during
16 this time?

17 MR. McDUFFY: Wait for her to
18 finish the question.

19 THE WITNESS: Okay.

20 Every person, every guy in the Strike
21 Force used the same male locker room. Some guys
22 used out back, but the bathrooms were in there,
23 so anybody could have come in.

24 I mean, every guy in there would go in

1 there, because that's where the bathrooms are.

2 My locker was kind of -- the bathroom was
3 here, and then you come in the door, and then you
4 could turn this way, and my locker was the first
5 locker right here (indicating).

6 So anybody coming in this way could go to
7 the bathroom, or come in this way from the
8 bathroom could see it.

9 BY MS. SHIELDS:

10 Q. So after you observed the "rat" scribbled on
11 this note to call your wife, what did you do next?

12 A. Well, then Keith came in and I told Keith. I
13 said, "Keith" --

14 Keith Sadowski, yeah. I said, "Keith, look
15 at the note." "They wrote 'rat' through the note."

16 Then Sergeant Russell came in.

17 Q. In the male locker room?

18 A. Well, she came in the hallway.

19 I said, "Sergeant, I need to bring something
20 to your attention."

21 Q. Then what happened next?

22 A. Then I went in the locker room, and I made
23 sure that was no other men in the locker room. And
24 then she came in the locker room, and then she looked

1 at the note.
 2 Then all three of us went out and Lieutenant
 3 Fineman was coming up the steps to come into work.
 4 So we stopped him and we told him about the
 5 note.
 6 Q. And what happened next?
 7 A. And I said to him, I said, "I'm very
 8 concerned about this note because I feel that if people
 9 feel that I'm a rat, that I might not get the proper
 10 backup, you know, people ain't going if I do a job,
 11 they're not going to stop the people that I'm putting
 12 out."
 13 Q. I don't understand that last sentence.
 14 I know what backup is.
 15 A. Right.
 16 Well, the last sentence is basically, if I'm
 17 doing a surveillance, and I see you buying drugs from
 18 him, and you walk away and I put that out over the
 19 radio, now people who are having a problem with me will
 20 not stop you. So then my buyer gets away. And my job
 21 goes down the toilet. So if the people on the street
 22 are not --
 23 Q. Understood.
 24 A. If the people on the street are not doing

1 what they're supposed to do.
 2 Q. Let's go back to your conversation with
 3 Fineman.
 4 A. Back to the conversation with Lieutenant
 5 Fineman.
 6 I brought the note to his attention. And he
 7 said, "Well, what did you expect to happen when you
 8 gave that statement to the captain about Eric Dial?"
 9 And I said, "Well, I was being truthful
 10 during that statement. I didn't believe that that
 11 statement wouldn't get anywhere. The PBI wasn't aware
 12 yet. So nobody should have known."
 13 And he said to me -- he said, well, he said,
 14 "Well, what do you want me to do about it?"
 15 I said, "Well, I want you to do an
 16 investigation about it."
 17 Q. And what did he say?
 18 A. And he just didn't really say much. He just
 19 said -- he didn't do nothing.
 20 Q. Were you standing there with Keith Sadowski
 21 and Sergeant Russell?
 22 A. All four of us were standing on the -- it's
 23 actually not fire steps. But to me it's where you come
 24 in the building, to me it's cement. It's a step area.

1 Q. Right.
 2 I just want to know if the other two were
 3 there.
 4 A. All four of us were there at that time.
 5 Q. What happened next in connection with the
 6 "rat" note?
 7 A. Okay. Next, me and Keith with gloves took
 8 the note -- Keith, I believe, with gloves took the note
 9 and we put it in a plastic evidence bag.
 10 Q. Then what happened next?
 11 A. And then Captain Kelly wasn't there.
 12 But we brought it to Lieutenant Fineman, who
 13 didn't want nothing to do with it. He's like, "What
 14 can I do? You brought this on yourselves."
 15 Q. So what happened next?
 16 A. So I think it was maybe the next -- I think
 17 that might have been a Saturday. I'm not sure.
 18 Then Monday I had court. So I went to court,
 19 and then I came into the Strike Force when Captain
 20 Kelly was there.
 21 Q. So what happened next?
 22 A. I said, "Captain, I don't know if Lieutenant
 23 Fineman spoke with you about this or anything. There's
 24 a Post-it that was left on my locker that Keith wrote

1 from my wife, and then there was 'Rat' written all over
 2 it.
 3 "And I don't think he's going to handle this
 4 investigation, because he doesn't seem like he's going
 5 to do anything about it."
 6 Q. And what did Captain Kelly state to you?
 7 A. Well, at first he said to me, "Well, why
 8 would you leave a note up on your locker?"
 9 So I'm like, "Well, it really shouldn't
 10 matter if there's a note on my locker. I was in a
 11 hurry when I left. You know, I said, It shouldn't
 12 matter. Nobody should touch my locker or what's on my
 13 locker."
 14 Q. What else did Captain Kelly say, if anything?
 15 A. So then he told me, he said, "Well, you know,
 16 you and Keith have the range tonight."
 17 We were scheduled to go shooting before
 18 12:00. So obviously, Keith had the note with him at
 19 home or in his locker. I don't know where he had it.
 20 So Captain Kelly said, "Well, you go to the
 21 range tomorrow when you come in. And tomorrow when you
 22 come in, I'll take it" -- the note -- "I'll send it to
 23 forensic sciences or whatever, and we'll try to see if
 24 we can get any type of print off it."

1 So I said, okay. The next day after the
 2 range we come in. We're working --
 3 Q. Do you remember the dates?
 4 A. I don't remember the dates off the top of my
 5 head, no.
 6 Q. Go ahead, then.
 7 A. I mean, this is eight years ago.
 8 Q. Go ahead.
 9 A. So I come in that night. Keith comes in that
 10 night and Lieutenant Fineman was there. And I asked --
 11 and Captain Kelly wasn't there.
 12 I asked Lieutenant Fineman if he talked to
 13 Captain Kelly.
 14 He said "No." He said, "I try to stay away
 15 from the captain on night work."
 16 I said, "Well, he was supposed to meet me
 17 here so we could give him this note."
 18 He said, "Oh, he ain't going to do nothing
 19 with that note" -- or something to that effect.
 20 "What do you want him to do with it?" He
 21 said, "I worked in forensic sciences for years, and
 22 they're not going to get nothing off that note."
 23 I said, "Okay, well, Captain Kelly was
 24 supposed to meet us. Do you know if he just went out

1 and he may be coming back?"
 2 He said, "No, he's not coming back."
 3 So I told him at that time, I said "Okay,
 4 well, I'm not getting nowhere here. I'm just going to
 5 take the note myself and hold myself out and go to
 6 Internal Affairs and give it to them."
 7 Q. And what happened next?
 8 A. We got in the car, me and Keith, and we start
 9 to go up to 95. As soon as we got up the ramp at
 10 Bridge Street, Lieutenant Fineman came over the air and
 11 asked our car to call headquarters.
 12 Keith called headquarters and was informed by
 13 Lieutenant Fineman that Captain Kelly wanted him to
 14 call him on his cellphone.
 15 So Keith called him on his cellphone.
 16 Q. He called Captain Kelly?
 17 A. Right. He called him and he talked to him
 18 for a couple of minutes, and he said, "Well, I want to
 19 talk to Billy" -- me.
 20 So Keith hands me the phone, and he says,
 21 "Billy, I'm very upset with you with this note going to
 22 Internal Affairs. I told you I was going to take care
 23 of it."
 24 "I said, Captain, I respect that and I know

1 you said you were going to do it, and I believed that
 2 you were going to do it, but maybe something came up
 3 with you. I understand that."
 4 "But when I talked to Lieutenant Fineman, he
 5 gave me the impression that he kind of knew that you
 6 weren't going to do nothing with it."
 7 So he's "Like, well, I don't know that,
 8 because I talked to Lieutenant Fineman and I told him
 9 what I was going to do, and he must just be bi-polar."
 10 I said, "I don't know that and that's not my
 11 call. You're both my boss. And I'm stuck here with
 12 this note."
 13 And he said, "Well, do me a favor." He said,
 14 "I'm at my mother's house" -- and I can't recall where
 15 it was. It wasn't far off of 95. It was like Cottman,
 16 somewhere right off of 95. He gave us the address.
 17 And we drove to the house. He was there he was doing
 18 work or something on his mother's house and he was
 19 getting stuff out of the truck.
 20 So I said, "Captain, I wasn't trying to start
 21 no waves or no problems with this note. I said, the
 22 thing that Jack Fineman had told me and that the things
 23 that he had told me previously in the past led me to
 24 believe that you didn't care about this as note as much

1 he didn't care."
 2 He said, "Well, that's not absolutely not
 3 true." He said, "Give me the note and I'll assure you
 4 that it gets down to the chem lab and that it gets
 5 fingerprinted and all of that."
 6 Q. And did you give Captain Kelly the note?
 7 A. Then we gave him the note.
 8 Then we went back on about our business.
 9 Probably maybe a week passed by, and Captain
 10 Kelly came out to me. And he said, "Billy, they came
 11 back with it, and they couldn't find nothing but just
 12 like a smudge, and they couldn't make nothing out of
 13 it."
 14 So he said, "They sent me the paperwork and
 15 it's on my desk." You know, "I'll give it to you, if
 16 you want it, or whatever."
 17 So I said, "Okay, thanks, you know."
 18 And I never got that paperwork.
 19 So as an extent of the note, it was just a
 20 smudge, and then that investigation part was over.
 21 -----
 22 (Whereupon, a discussion was held
 23 off the record.)
 24 -----

1 BY MS. SHIELDS:

2 Q. You make a claim, Officer Campbell, about
3 sick checks.

4 When were you sick checked during this time
5 period?

6 A. I have the, I mean, I have the date written
7 down right there. It came to a point to where -- well,
8 if you want to back up to where I was at Lieutenant
9 Fineman's office and when I got the chest pains and all
10 that.

11 Q. Well, tell me about Lieutenant Fineman and
12 the chest pains?

13 MR. MCDUFFY: Can we go off the
14 record.

15 -----
16 (Whereupon, a brief recess was
17 taken at this time.)

18 -----
19 (Whereupon, the last pertinent
20 question and/or answer was read back for the
21 record.)

22 -----

23 BY MS. SHIELDS:

24 Q. You made a reference about the chest pains in

1 out sick and go get treated."

2 And he said, "Well, you know, the policy and
3 the directive in the department is that if you're
4 claiming that you're sick, I could send you to the
5 hospital."

6 I said, "Well, that's what I'm asking you to
7 do."

8 Q. So what did he do?

9 A. He said, "Oh, no, we're not going to go that
10 way. We're not going to go that way. You don't need
11 to go to the hospital. That's basically the same thing
12 Keith tried to pull."

13 And I said, "No, really, my chest is
14 hurting."

15 Q. And what did you do next, experiencing chest
16 pains?

17 A. Well, I was starting to experience chest
18 pains and I was starting to get light-headed. And I
19 basically at that point -- I got to the point where my
20 chest was getting tight and I wasn't able to breathe
21 that well.

22 Then I just told him, I said, "Lieutenant,
23 understand, with all due respect, you can count on me
24 sick, you can count on me vacation, you can count on me

1 the presence of Lieutenant Fineman or having to do with
2 some interaction with Lieutenant Fineman.

3 A. Correct. That was when we were in the office
4 when he was questioning him about the sick note, and
5 the "I'm not going to take this lying down" -- you
6 know, from Keith Sadowski, you know.

7 And at that point, when I wasn't basically
8 free to leave his office, I told him, I said,
9 "Lieutenant, no disrespect, but this really has nothing
10 to do with me, and my chest is starting to hurt. And I
11 feel like I'm being harassed here. I'm getting pains."

12 And he said, "Well, how am I harassing you?"

13 I said, "Me just being in here now after you
14 called me in just for a sick note, and I answered that
15 question, and then you started bringing up an Internal
16 Affairs investigation that I'm not really supposed to
17 talk about."

18 I was getting all excited. Then when he
19 stood up, I was more excited.

20 And then I told him, I said, "Look at my
21 chest. I feel tightening and pain in my chest." I
22 said, "I want to go to the hospital." You know, "I'll
23 go to the hospital. I'll have to be sick or whatever."

24 So I said, "Well, I told him, I'm going to go

1 any way you want. My chest is hurting. I need to go
2 to the hospital."

3 Q. Then what did you do next?

4 A. Then I went out and I got in my car and I
5 started to drive to Frankford Torresdale Hospital.

6 Now, I've been to Frankford Torresdale
7 Hospital, not a million times, but quite a few times.
8 And as I was driving with the chest pains and the
9 light-headedness, and all of the excitement, I forgot
10 where it was. I knew it was up that way, but I
11 couldn't remember exactly which street it was on.

12 Q. Did you finally make it to the hospital?

13 A. Well, yeah.

14 You don't want me to tell you anything in
15 between that?

16 Q. You can tell me. Go ahead.

17 A. So I pulled over to a phone booth. They had
18 a regular phone booth at the time. You don't see them
19 anymore.

20 So I called Keith but he didn't answer it.

21 And I was going to ask him what street the hospital was
22 on.

23 So then I got back on Frankford Avenue, you
24 know, and I took it back on to Knights Road, and then I

1 seen the sign.

2 So I pulled in the emergency room and I went
3 in there. I went to the desk where they check you in
4 and I gave them my medical stuff. They took me in the
5 back. They book my blood pressure, which was a little
6 bit high, but sometimes my blood pressure is high but I
7 take medication for that. And I explained to them what
8 was going on with the chest pains.

9 And they're asking me, is it stabbing pains
10 or squeezing pains? And I said, well, sometimes it
11 feels like squeezing and stabbing.

12 So they did an EKG which came back normal.
13 They gave me aspirin -- do you know what I mean, and
14 basically, they said try to sit in the lobby and try to
15 relax. Do you know what I mean?

16 And at that time of night that everybody was
17 in there, it was probably like 50 people in there. It
18 was like flu season.

19 So I was sitting in there and I finally got a
20 hold of Keith from the pay phone. He said, "Oh, I
21 talked to your wife, and she said to call her."

22 And she said, "What's happening, where are
23 you at?"

24 I said, "I had an encounter at the Strike

1 Q. But you still left?

2 A. I left and drove to the hospital.

3 Q. Right. But it was of your own free will?

4 A. Yes.

5 Q. Did you ever suffer from heart palpitations
6 or heart problems before that?

7 A. No.

8 Q. All right.

9 So you were treated at the hospital.

10 There were negative findings in terms of a
11 heart attack, correct?

12 A. Correct.

13 Q. What happened next?

14 A. Well, after about an hour and a half or maybe
15 two -- well, I called my wife and I talked to her on
16 the phone. She said she called down the Strike Force
17 and talked to Corporal Kirk, who was a corporal. And
18 she asked him what happened and where I was. And he
19 said, "Well, I can't answer that. I'll have to give
20 you to Lieutenant Fineman."

21 So he then he transferred her over to
22 Lieutenant Fineman, and Lieutenant Fineman never
23 answered.

24 So then Corporal Kirk got back on the phone,

1 Force with Lieutenant Fineman, and I'm having chest
2 pains and I'm at Frankford Torresdale Hospital."

3 Q. Can I back up a little bit?

4 A. Sure.

5 Q. I'll let you continue.

6 A. Okay.

7 Q. Let's go back to the office with Lieutenant
8 Fineman.

9 Did he prevent you at all from leaving to go
10 to the hospital?

11 A. Did he block the door?

12 No. But he told me that I wasn't free to go.

13 Q. But you left anyway.

14 He didn't prevent that, correct?

15 A. Well, after a period of time where the chest
16 pain was getting so bad, I just -- my body took over,
17 and I said I don't care how you carry me.

18 Q. So you left, right?

19 A. Right, yeah.

20 Q. And he didn't prevent you from --

21 A. I asked him, "Will you get me a ride?" And
22 at that time the corporal was right at the door, and I
23 opened the door and the corporal was sitting there and
24 no one volunteered to call anybody.

1 and said, "Oh, he's not here right now." And he said,
2 "I think he went to the hospital, but I'm not sure what
3 hospital he went to."

4 Q. Did you go to work the next day?

5 A. No.

6 When I left the hospital that night, after
7 they gave me the aspirin and told me I'm having a heart
8 attack. And they wanted me to follow up with my
9 doctor.

10 I said, "Look, I'm the sitting here for an
11 hour and a half, two hours. I was starting to calm
12 down a little bit. My chest wasn't hurting as much.

13 My wife didn't have a car to come over. She
14 was home and now she was worried about me. So I got in
15 the car and I drove home and the next day I called my
16 personal doctor and I told him what happened. They
17 scheduled me for an appointment for next day, which I
18 believe was Tuesday. And I went in and seen him. I
19 explained to him what happened. And he said, well, I
20 want you to go see a cardiologist. And he gave me the
21 name of a cardiologist, Dr. Lori Frank.

22 Q. How do you spell that?

23 A. Frank?

24 Q. His or her full name.

1 A. L-O-R-I and Frank, F-R-A-N-K. That's it.
2 She works out of -- it was Jefferson when I went there.
3 It's at Grant and the Boulevard now. It's Aria. She
4 still works out of there now. She's still my
5 cardiologist.

6 Q. Would you tell us, what were her findings?

7 A. Her findings -- when I went in she did some
8 simple listening and chest -- and then she set me with
9 what was called an echocardiogram. So it's
10 basically --

11 Do you want me explain what it is?

12 Q. No. I know what an echocardiogram is.

13 A. So when he was doing it on my back, he must
14 have found something. Because when he was done, he
15 said, "Okay, we're done. Have a seat in the hallway.
16 I have to talk to Dr. Frank. Then she'll be back to
17 talk to you."

18 So she came back to talk to me, and she said,
19 "Bill, there's a little problem here. And I want to
20 make sure that we handle this correctly, because you're
21 a young guy." I was only 42 at the time.

22 She had said what was happening was, the back
23 of your heart was not going in all of the way when you
24 reached a stage of probably excitement. Then it's not

1 getting enough blood.

2 So she offered me different options which
3 was -- she said, we could treat you with medication,
4 which I could do, if you were older and you just sat
5 down at home and you were retired and you watched the
6 grass grow. Then she said that there was an another
7 invasive surgery that they could do, but a
8 hundred percent, she said, I would really think about
9 doing this -- letting Dr. Oglesvie, a partner of hers,
10 go in and look with the cameras and see what's going
11 on.

12 So I don't remember the date that I went to
13 the hospital. They scheduled me a date to go down to
14 Jefferson and I went down to Jefferson.

15 She stuck the camera in my femoral artery and
16 went up. They found a blockage in the circumflex
17 artery which was behind my heart. And the stent that
18 he was going to put in at that time was too big, so he
19 came back out.

20 So he said, we're going to schedule you for a
21 couple of more days from now, because we're going to
22 have to let this femoral artery heal up before I go in
23 the other side, because we don't want both of them to
24 be open.

1 So the next -- maybe a week, maybe two weeks
2 after that, he went in and he stented -- he put two
3 stents in the circumplex artery and then he came back
4 out. So I mean, after that, it's kind of a hard thing,
5 because when you come out and your femoral artery's
6 open, if you've ever had a cardio cath, I woke up and
7 there's this big guy and he's about 250 pounds, and
8 he's pressing down on my leg.

9 Q. We're getting a little far afield right now,
10 okay?

11 A. Okay. I'm just explaining to you what
12 happened to me.

13 Q. I understand that.

14 It sounds like your heart problems didn't
15 start with Lieutenant Fineman.

16 A. Well --

17 Q. So you were out sick for a period of time; is
18 that correct --

19 A. Yeah.

20 Q. -- with your heart?

21 A. Yeah.

22 Q. And how long were you out sick, sir?

23 A. After they stented it, I was probably out
24 for, like, four months maybe.

1 Q. You were out four months?

2 A. Somewhere around there.

3 Well, they stent it. Then they came out.

4 Then they went back in, and then they came out. Then
5 they went back in again to check on the stent after
6 that.

7 Q. And while you were out sick, is it your
8 allegation that you received numerous sick checks?

9 A. Not at that time.

10 The sick checks, I believe, were even before
11 that.

12 Before the altercation with Lieutenant
13 Fineman was -- before the altercation with Lieutenant
14 Fineman, he was supposed to another squad. Captain
15 Kelly said he was going to move Lieutenant Fineman to
16 another squad. And he moved him there. It only lasted
17 about two days -- or a week, and Lieutenant Gerald
18 Fitzgerald came into our squad.

19 So then when I took sick, he sick checked me,
20 which I figured. That's fine. I was under the hours.
21 Whatever.

22 When I came back to work I talked to guys
23 that were in his squad and that he was the lieutenant
24 of. So I said, oh, yeah, lieutenant Fitzgerald sick

1 checked me when I was out.

2 They said wow, that's unbelievable. He never
3 sick checks anybody. We'll even call from the bar or
4 whatever, and he gives us a vacation day.

5 Q. But isn't police procedure that whenever
6 someone's out, it's not unusual to sick check somebody
7 who's out, sir?

8 A. In the Narcotics Strike Force, it was
9 unusual.

10 Q. Well, isn't there a police directive that
11 gives guidance with regard to sick checking --

12 A. Correct, under 1,200 hours, you may be sick
13 checked, right?

14 Q. Right.

15 A. For a pattern of days and usages.

16 But what my statement is, that wasn't a
17 policy that he adhered to.

18 Q. But it is a Police Department policy,
19 correct?

20 A. Correct.

21 Q. And how many times were you sick checked by
22 Lieutenant Fitzgerald?

23 A. Just that once, because he was only there for
24 a couple of days.

1 Q. And you were sick checked by anybody else
2 after Lieutenant Fitzgerald or whatever his name is?

3 A. Not that I recall. Because when I went out
4 restricted and I had to turn all of the paperwork in to
5 Captain Kelly, and I had to go down to personnel --

6 Q. So is your answer "No"?

7 A. It's "No," because they knew I was out long
8 term then.

9 Q. So your answer is "No"?

10 A. Right.

11 Q. I think you've answered my question.

12 A. Okay.

13 Q. So after four months, you returned to work?

14 A. After four months I returned to restricted
15 duty.

16 Q. And were you on restricted duty at DPR or in
17 the DPR or in the Strike Force?

18 A. No. When I went to the safety office they
19 put me on a restricted duty working at the Police
20 Academy working 3:00 to 11:00.

21 Q. How long were you on restricted duty at the
22 Police Academy?

23 A. I was on restricted duty there for about five
24 weeks.

1 Q. Then did there come a time when you were
2 returned back to the Strike Force?

3 A. No. After that every five weeks that I was
4 was there, there was an altercation with a gentleman
5 that came in the academy. There was another unit up
6 there called the Site Unit --

7 Q. The Site Unit?

8 A. The Site Unit. S-I-T-E. I don't know what
9 it stands for.

10 But they had stopped, like, I imagine a 20 or
11 a 23-year-old kid, somewhere up in west Philly and when
12 they had locked him up they had his wallet.

13 Q. They who?

14 A. The people in the Site Unit.

15 So when he got out, he had called the Site
16 Unit --

17 Q. And who's "he"?

18 A. I don't remember his name. The guy that came
19 for his wallet.

20 Q. Is this a person that had been apprehended?

21 A. Yes. He was a defendant and he was locked up
22 from carrying a gun from the Site Unit.

23 Q. I'm just trying to keep things clear for the
24 record.

1 A. Right. I'm just trying to work with you.

2 Q. Go ahead.

3 A. So the Site Unit told him to come to the
4 academy to pick it up.

5 Q. The wallet?

6 A. Right.

7 So he comes to the front door, and I was
8 working with another guy, Chris. I had his name in my
9 head last night. Anyway, he was another guy that was
10 restricted. He was there from a motorcycle accident
11 and his arm was all torn and skin grafts.

12 So we were stationed there. So we opened the
13 door for the gentleman to come in, and the girl from
14 the Site Unit, Cindy --

15 Q. Don't bother trying to spell her last name.
16 So what happened?

17 A. She came and brought the guy the wallet.
18 Then as she left and we were guiding him out the door,
19 because he had to lock the door and then Chris had to
20 open the door again.

21 So he starts yelling and screaming, that I
22 don't understand why I had to come all the way up here
23 when my wallet's --

24 So I said, do you know what? Screaming and

1 hollering right now, we don't have anything to do with
2 that. If you want to make a complaint, this is what
3 you have to do. You have to go to Internal Affairs and
4 make a complaint. Then they'll investigate why your
5 wallet is there.

6 And basically, he started, you know, saying,
7 well, that's not right. Then he went to put my hand in
8 the door to open up it up and he slapped my hand out of
9 door. So then we became in a struggle.

10 Then he threw me through the window. And I
11 tore my wrist, my elbow was all messed up. And I was
12 out IOD then for eleven-and-a-half months.

13 Then when I came back from being on IOD --
14 well, I was still on IOD -- now they call it limited
15 duty instead of being restricted, because it was a
16 work-related injury. So I went restriction to IOD.

17 Q. So you're on limited duty, IOD for
18 eleven-and-a-half months?

19 A. Yeah. No -- wait a minute. No -- I was
20 out -- I was out of work for eleven-and-a-half months.

21 Q. Okay.

22 A. When I came back --

23 Q. Then you were limited duty?

24 A. I was limited duty back at the academy.

1 Q. You were limited duty back at the academy?

2 A. Yeah.

3 Q. How long were you on limited duty back at the
4 academy?

5 A. I was on limited duty at the academy there
6 for a while because the lawyers and -- I guess,
7 worker's comp, they was trying to argue about the elbow
8 injury wasn't it related to that going through the
9 window all and. And so it took a while to get all of
10 that through.

11 So then in 2010, I believe it was in January
12 or February, so it wouldn't keep popping out. I had
13 the surgery done on my own. They moved my ulnar nerve
14 in my elbow.

15 Q. This was in January or February of 2010?

16 A. Correct.

17 Q. So you had surgery to your elbow?

18 A. Right.

19 They moved the ulnar nerve, the ulnar nerve
20 in my elbow so it wouldn't keep popping out. It's
21 basically the funny bone nerve in my elbow.

22 Q. My question is, did you ever at any time go
23 back to the Narcotics Strike Force in 2010?

24 A. No. I never went back there since I left

1 that day with Lieutenant Fineman.

2 In 2010, after I had the surgery, it took
3 like four months to recover from, which burned all my
4 sick time and vacation time and with our thing and this
5 thing.

6 So when I went back to work -- well, worker's
7 comp ruled against me on the ulnar nerve. They weren't
8 covering that. So I had to do Personal Choice. So I
9 did that.

10 So when I was -- let me see -- I guess the
11 best way to say it is, when I was fighting worker's
12 comp in the arbitration part, they really -- I had to
13 stay in the status that I was in. So I stayed in the
14 status that I was in. So I stayed in IOD status until
15 they came in on a ruling that it wasn't related to me
16 going through the window somehow.

17 So then I got word from the captain's aides
18 in the academy that I was going to be going back to
19 work full duty on Monday.

20 Q. Did they say where you were going to become
21 detailed?

22 A. Well, I had to go the safety office on
23 Monday.

24 Q. And did you get an assignment in the safety

1 office?

2 A. When I got down there, Carol Manning, who was
3 running the safety office, she told me that you're
4 going to be going back to work. I'm not really sure
5 where you're going to go. I know it's in South
6 somewhere. Let me call the Deputy's office. Then she
7 talked to somebody. I don't know who she talked to.
8 Then she got off the phone and she said, you're going
9 to the First District.

10 So I said "Okay," and that's where I went.

11 Q. So you never went back to the Narcotics
12 Strike Force?

13 That's my question to you.

14 A. No. They didn't let me back.

15 There's a policy in the directives that if
16 you're IOD for a period of time, when you come back the
17 Commissioner can place you anywhere he needs you to be.
18 So that's what they told me.

19 Q. Let's go back to the Narcotics Strike Force
20 before your heart -- around the time you had your heart
21 issues. This is when you're working at the Narcotics
22 Strike Force.

23 That's where my questions are going to stem
24 from right now.

1 A. Okay. From the time I got there, do you
2 mean?
3 Q. Were your work assignments changed at all?
4 A. At first, I never had a problem. I really
5 didn't have many problems until me and Keith started
6 working together. Sergeant Russell was our sergeant,
7 and Laverne Vann and Sergeant Russell -- I don't know
8 why, but they didn't get along with each other. So it
9 was always assumed that, like, when Sergeant Russell
10 was off, that Sergeant Vann would give us either a
11 wagon or a transportation assignment, and other
12 assignments that, you know, that were usually spread
13 around through others, that seemed to all be coming our
14 way.
15 Q. But it's a work assignment?
16 A. It's a work assignment, correct.
17 Q. Did your salary remain the same at this time,
18 during this time period?
19 A. During the time period that I was at the
20 Strike Force?
21 Q. Yes.
22 A. Yeah.
23 Q. Were you ever transferred or detailed out?
24 A. From 2001 until the time I left?

1 Q. Yes.
2 A. No.
3 Q. Okay.
4 Overtime, did you still work overtime in
5 2006?
6 A. Yes.
7 Q. Did you work overtime in 2007?
8 These are pretty much "yes" and "no" answers.
9 A. I only worked until 3/10/2007. So I mean, I
10 only worked from January until March.
11 Q. Okay.
12 A. Did I work some overtime? I'm sure there was
13 some in there. I don't know.
14 Q. Were you treated by any mental health
15 professionals in connection with your issues with the
16 Strike Force?
17 A. Well, at first I when to EAP and I talked to
18 a guy by the name of Tracy Brooks, who is like the EAP
19 coordinator, Employees Assistance Coordinator. It was
20 basically -- when down there, I had to I believe submit
21 a memo to Sergeant Russell that I wanted to go talk to
22 somebody about the unfair and harassment treatment I
23 was getting.
24 So she said okay. And I went down there on a

1 -- I don't know what day it was, but it was daytime
2 when they're there, which is only 8:00 to 4:00 or
3 whatever. I talked to Tracy Brooks and that was about
4 it for that.
5 Then I came back to work, and after I came
6 back to work on this stress -- which I know they're
7 saying that I had heart problems before that. Where
8 you were coming up with that, I have no idea.
9 Q. Well, blockages just don't appear, but I'm
10 not a doctor.
11 A. I know. That's why I don't know why you were
12 questioning me on that. And you didn't let me go into
13 what my doctor explained to me, what happened.
14 Q. I think it's too far afield of the scope of
15 the deposition, sir.
16 A. Okay, all right.
17 Q. How many times did you see Tracy Brooks?
18 A. Just that one time.
19 Q. Did you see any other mental health
20 professionals?
21 A. I seen on afterwards. I got in contact with
22 Dr. Paul Deichen (ph). And I seen Dr. Paul Deichen for
23 a while.
24 Q. For a while? What's a while, sir?

1 A. I seen him probably -- in the first year
2 after all of this happened, I would see him every month
3 for probably a year. Then I would see him periodically
4 after that. And I haven't seen him in probably in over
5 a year now.
6 MS. SHIELDS: I don't have any
7 further questions, sir.
8 THE WITNESS: Okay. Thank you.
9 -----
10 (Whereupon, a discussion was held
11 off the record.)
12 -----
13 EXAMINATION
14 -----
15 BY MR. McDUFFY:
16 Q. I have a couple.
17 One follow-up question just to clarify the
18 overtime.
19 You said you worked until 3/10/2007?
20 A. 3/10/2007, yeah, until I went out with the
21 thing with Lieutenant Fineman.
22 Q. That's right.
23 And then you never went back after the thing
24 with the Narcotics Strike Force?

1 A. No.
 2 Q. One other question to clarify.
 3 The "rat" note. You said it was a Post-it?
 4 A. Yeah, I believe it was a yellow Post-it.
 5 Q. How big was it? What was the size of it?
 6 A. It was just a regular square-sized one, just
 7 a regular, normal -- I don't know -- a three-by-three
 8 maybe.
 9 Q. Okay.
 10 A. Or four-by-four, something like that,
 11 whatever. I never measured it.
 12 Q. Was it the same -- do you see that one right
 13 here on this page, was it this size, was it this size
 14 (indicating)?
 15 A. No. It was bigger. It was a bigger one.
 16 Q. I got you. I understand.
 17 A. It was the kind of first the ones that came
 18 out. Now I think they started making them all
 19 different sizes.
 20 MR. MCDUFFY: I have no questions
 21 thank you.
 22 MR. SCUDERI: That's all I have.
 23 No questions.
 24 MS. SHIELDS: Thank you, gentlemen.

1 That's it, then.
 2 -----
 3 (Whereupon, the deposition was
 4 adjourned for the day at 12:45 p.m.)
 5 -----
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CERTIFICATION

1
 2
 3
 4 I HEREBY CERTIFY that the proceedings and evidence
 5 are contained fully and accurately in the stenographic
 6 notes taken by me upon the foregoing matter on Monday,
 7 July 28, 2014, and that this is a correct transcript of
 8 same.
 9

10
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 12
 13
 14
 15
 16 CHARLES P. CARMODY,
 17 Federally Approved, Registered
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 of the certifying reporter.)

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